

Yeshiva D'Monsey

2 Roman Blvd. - Monsey, NY 10952
(845) 426- 3276 - (845) 352- 1119

Received & inspected

October 28, 2015

NOV - 3 2015

FCC Mail Room

To: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Subject: Appeal of USAC Funding Decision - Docket 02-6

Request for Reconsideration

Request For A Waiver

On July 28, 2015 we received a demand payment letter from USAC for FRN 1902086 of form 471 # 693241.

The letter gave the following explanation:

During our special compliance review it has been determined that this funding commitment must be reduced by \$25,616.52. Yeshiva DMonsey was only partially eligible for E-rate support in Funding Year (FY) 2009 (7/1/09-6/30/10). FCC rules require that discounts are to be provided only to entities eligible to receive funding. In order to be eligible to receive discounted services per the rules of this program, libraries must demonstrate that they are eligible for assistance from a State library administrative agency under the Library Services and Technology Act (LSTA). Documentation provided by your Regional Library System, Southeastern NY Library Resources Council (SENYLRC), indicates that Yeshiva DMonsey did not become LSTA / E-rate eligible in Fund Year (FY) 2009 until 5/1/2010. Part of your membership with SENYLRC requires members pay annual dues and since you did not satisfy this obligation until 5/1/2010, Yeshiva DMonsey is considered eligible for only 2 months (5/1/2010-6/30/2010) of service in FY 2009. USAC requested documentation to support the service and charges associated with SLD Invoice # 1451836. The applicant failed to respond with supporting documentation within the allotted 15 day time frame, therefore, we are unable to determine if the services within this FRN were delivered to an eligible location during the time when the entity was eligible. Accordingly, USAC will reduce the commitment by \$25,616.52 (\$30,739.82)

We are appealing this decision because the FRN was actually delivered on 06/18/2010. According to our records we did provide USAC with this information.

We had previously filed an appeal with the FCC, however on September 30, 2015 our appeal was denied for "Untimely Filed Request for Review". **We are asking for the FCC to reconsider the FCC decision to deny our request, because after we had filed our USAC in a timely manner we never heard back from USAC until the letter that we received dated July 28, 2015. We therefore believe that our request to the FCC was actually filed on-time.**


Aron Berger, Administrator

No. of Copies rec'd _____
List ABCDE _____